



10-04-05

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: O'Dea et al.  
Serial No.: 10/761,257  
Group Art Unit: 3683  
Filed: 01/21/2004  
Examiner: Schwartz  
For: MODULATOR NOISE REDUCTION VIA MOTOR CONTROL

**NOTICE OF APPEAL**

**MAIL STOP APPEAL BRIEF-PATENTS**

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 1, 2005, of the Examiner's final rejection of claims 1 – 9 under 35 U.S.C. § 103(a).

Applicant's attorney's check in the amount of \$500 Dollars is enclosed to cover the cost of the Notice of Appeal filing fee.

If additional fees are incurred because of this Notice of Appeal and not included, the Commissioner is authorized to charge said additional fees, as well as credit any overpayments, to Deposit Account No. 08-2789 of Howard & Howard Attorneys, P.C.

**Respectfully submitted,**

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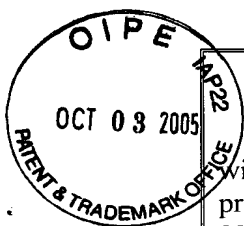
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**HOWARD & HOWARD ATTORNEYS**

**October 3, 2005**

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**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §§ 1.1 AND 1.8**

I hereby certify that this **Notice of Appeal** and the fee for the appeal are being deposited with the United States Postal Service as Express Mail, Label No. EV695474994US, postage prepaid, in an envelope addressed to MAIL STOP AF, Commissioner for Patents, Alexandria, VA 22313-1450, on **October 3, 2005**.

*Sandy Barry*  
Sandy Barry